

JOURNAL OF THE ASSEMBLY [May 7, 1981]

STATE OF WISCONSIN

Assembly Journal

Eighty-Fifth Regular Session

THURSDAY, May 7, 1981.

10:00 A.M.

The assembly met.

Speaker Jackamonis in the chair.

The prayer was offered by Reverend Thomas Dietrich of Dale Heights Presbyterian Church, 5501 University Avenue, Madison.

Representative Robinson led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present -- Alberts, Andrea, Barczak, Becker, Behnke, Berndt, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnecki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig, Larson, Lee, Leopold, Lewison, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Neubauer, Norquist, Otte, Panzer, Paulson, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood, Young and Mr. Speaker -- 98.

Absent -- None.

Absent with leave -- None.

Vacancies -- 47th District -- 1.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

AMENDMENTS OFFERED

Assembly amendment 3 to assembly substitute amendment 1 to **Assembly Bill 117** offered by Representative Menos.

Assembly substitute amendment 1 to **Assembly Bill 127** offered by committee on Criminal Justice and Public Safety.

Assembly amendment 1 to assembly amendment 1 to **Assembly Bill 164** offered by committee on Commerce and Consumer Affairs.

Assembly amendment 1 to **Assembly Bill 198** offered by committee on Commerce and Consumer Affairs.

Assembly substitute amendment 1 to **Assembly Bill 295** offered by committee on Criminal Justice and Public Safety.

Assembly amendment 1 to **Assembly Bill 370** offered by Representative Andrea, by request of Joint Survey Committee on Retirement Systems.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 14

Relating to permitting debate of the motion to table.

By Representative Rogers.

To committee on Rules.

Assembly Joint Resolution 48

Relating to removing the eligibility to office of persons convicted of felonies and of persons in default to a unit of government (first consideration).

By Legislative Council.

To committee on Judiciary.

Assembly Joint Resolution 49

Relating to removing the restrictions on the right to vote of certain convicted persons (first consideration).

By Representatives Coggs, Becker, Williams and Clarenbach.

To committee on Judiciary.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

Assembly Bill 443

Relating to including trailer-mounted liquid fertilizer containers in the definition of implement of husbandry.

By Representatives Everson, Vanderperren, Paulson, Swoboda, Smith, R. Travis, Berndt, Hephner, Duren, Shoemaker, Harer, Merkt, Radtke, Laatsch and Tregoning, co-sponsored by Senators Thompson, Kreul and Harsdorf.

To committee on Agriculture and Nutrition.

Assembly Bill 444

Relating to the penalty for failure of local public officials to disclose economic interests (suggested as remedial legislation by the ethics board).

By Law Revision Committee.

To committee on State Affairs.

Assembly Bill 445

Relating to seizure and confiscation of certain items by the department of natural resources (suggested as remedial legislation by the department of natural resources).

By Law Revision Committee.

To committee on Environmental Resources.

Assembly Bill 446

Relating to supervisors of assessments, local treasurers' settlement of taxes and classification of property (suggested as remedial legislation by the department of revenue).

By Law Revision Committee.

To committee on Revenue.

Assembly Bill 447

Relating to relocation payments.

By Representatives Coggs, Broydrick and Williams, co-sponsored by Senators Braun, Berger and Johnston.

To committee on Urban Affairs and Housing.

Assembly Bill 448

Relating to identification of law enforcement officers.

By Representatives Coggs, Williams, Ulichny, Tesmer, Tuczynski and Plous, co-sponsored by Senators Braun and Johnston.

To committee on Criminal Justice and Public Safety.

Assembly Bill 449

Relating to authorizing county boards to fund local organizations on the status of racial minorities and women.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

By Representatives Coggs, Tesmer, Broydrick, Ulichny, Becker, Lee, Williams, Neubauer, Miller, Tuczynski, Kunicki and Plous, co-sponsored by Senator Braun.

To committee on Aging, Women and Minorities.

Assembly Bill 450

Relating to creating the mid-southeast metropolitan school district in Milwaukee, Ozaukee, Waukesha and Washington counties.

By Representatives Coggs, Broydrick, Becker, Lee and Tuczynski, co-sponsored by Senator George.

To committee on Education.

Assembly Bill 451

Relating to creating a prohibition against discrimination on the basis of personal appearance.

By Representatives Coggs, Tesmer, Ulichny, Gerlach and Plous, co-sponsored by Senators Braun and Berger.

To committee on Judiciary.

Assembly Bill 452

Relating to employment relations in higher education and making an appropriation.

By Representatives Broydrick, Flintrop, Plewa, Behnke, Vanderperren, Looby, Schneider, Potter, Hasenohrl, Helbach, Crawford, Roberts, Byers, Bradley, Kincaid, Norquist, Dorff, Ellis, Shoemaker, Becker, Radtke, Andrea, Harer, D. Travis, Smith, Medinger and Czarnezki, co-sponsored by Senators Van Sistine, Bablitch, Frank, Krueger, Goyke, Harsdorf and Roshell.

To committee on Education.

Assembly Bill 453

Relating to use of natural gas and electricity to heat swimming pools.

By Representatives Fischer, DeLong, Rooney, Kunicki, Gerlach, Porter, Plewa and Donoghue, co-sponsored by Senators Strohl, Cullen, Goyke, Hanaway, Chilsen and Kreul.

To committee on Energy.

Assembly Bill 454

Relating to requirements for voting booth construction.

By Representatives Ladwig, Rooney, Loftus, Neubauer and Wagner, co-sponsored by Senator Strohl.

To committee on Elections.

Assembly Bill 455

Relating to the expiration date for collective bargaining impasse resolution procedures for local government employes other than law enforcement and fire fighting personnel.

By Representatives R. Travis, Schneider, Prosser, Panzer, Merkt, Robertson, Goodrich, Alberts, Schneiders, Dilweg, Berndt, Quackenbush, Bradley, Harer, Thompson, Donoghue, Radtke, Knox, Tregoning and Matty, co-sponsored by Senators Kreul, Chilsen, Hanaway and Johnston.

To committee on Government Operations.

Assembly Bill 456

Relating to allowing judges to carry concealed weapons.

By Representatives Ladwig and Neubauer, co-sponsored by Senator Strohl, by request of Judge Jon Skow.

To committee on Criminal Justice and Public Safety.

Assembly Bill 457

Relating to foster parent property protection insurance.

By Representatives Leopold, Andrea and Plous, co-sponsored by Senator Braun.

To committee on Children and Human Development.

Assembly Bill 458

An act to authorize release of \$75,000 from the general fund for payment of a claim made by Robert L. Borum against the state.

By Representatives Coggs, Menos, Williams and Tesmer, co-sponsored by Senator George.

To Joint Committee on Finance.

Assembly Bill 459

Relating to special identification cards for organizations that transport disabled persons.

By Representatives Helbach, Behnke, Shoemaker, Duren, Plous, Crawford, Williams, Otte, Metz, Miller, Smith, Ulichny, Gerlach, Norquist, Jackamonis, Prosser, Coggs, Leopold, Donoghue, R. Travis, McEwen and Lee, co-sponsored by Senators Braun, Cullen, Harnisch, Roshell, Chilsen, Frank, Van Sistine and Bablitch.

To committee on Aging, Women and Minorities.

Assembly Bill 460

Relating to police band radios in motor vehicles and providing a penalty.

By Representative Matty.

To committee on Criminal Justice and Public Safety.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

Assembly Bill 461

Relating to a property tax exemption for personal property held for leasing.

By Representative Ellis.

To Joint Survey Committee on Tax Exemptions.

Assembly Bill 462

Relating to permitting income averaging for income tax purposes.

By Representatives Kirby, Fischer, Helbach, Andrea, Swoboda, Medinger, Hauke and Hopkins, co-sponsored by Senator McCallum.

To committee on Revenue.

Assembly Bill 463

Relating to the taxation of small hydroelectric plants.

By Representative Fischer, co-sponsored by Senator Thompson.

To committee on Energy.

Assembly Bill 464

Relating to outside occupations of commissioners.

By Representatives Schneider, Loftus, Thompson, Plewa, Johnson, Miller, Kirby, Roberts, Panzer and R. Travis, co-sponsored by Senators Risser, Goyke, Flynn and Chilsen.

To committee on Government Operations.

Assembly Bill 465

Relating to a vehicle owner's liability when the vehicle illegally passes a school bus and providing a penalty.

By Representatives Kirby, Gerlach and Rutkowski, co-sponsored by Senator Berger.

To committee on Transportation.

Assembly Bill 466

Relating to operation of motor vehicles in the navigable waters of the state and creating a penalty.

By Representatives Nelsen, R. Travis, Knox, Thompson, Byers, Lewison, Fischer, Crawford, Radtke and Dilweg, co-sponsored by Senators Harnisch, Kreul and Bidwell.

To committee on Tourism and Recreation.

Assembly Bill 467

Relating to posting signs in restaurants to inform employes on aiding choking victims, making an appropriation and providing a penalty.

By Representatives Menos, Vanderperren and Andrea.

To committee on Health and Human Services.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

Assembly Bill 468

Relating to establishing a chair in the Afro-American studies department at the university of Wisconsin-Milwaukee.

By Representatives Cogs, Leopold, Becker, Ulichny, Broydrick, Williams and Clarenbach, co-sponsored by Senators George, Moody and Braun.

To committee on Education.

Assembly Bill 469

Relating to filling of legislative offices in anticipation of a vacancy.

By Representative D. Travis.

To committee on Elections.

Assembly Bill 470

Relating to arrangement of names on nomination papers and petitions.

By Representative D. Travis.

To committee on Elections.

Assembly Bill 471

Relating to presumption of negligence in crimes in which injury or death is caused by intoxicated persons.

By Representatives Jackamonis, Medinger, Lee, Leopold, Behnke, Nelsen, Otte, Wood, Stitt, Kirby, Crawford, Flintrop, Gerlach, Neubauer, Norquist, Kincaid, Plous, Knox, Laatsch, Quackenbush, Radtke, Schmidt, Plewa, McEwen, Becker, Dilweg and R. Travis, co-sponsored by Senators Adelman, Berger, Offner, Johnston, Lorman, Hanaway and Moody.

To committee on Judiciary.

Assembly Bill 472

Relating to regulation of plumbers and granting rule-making authority.

By Representatives Looby, Behnke, Dorff, Quackenbush, Schneider and Conradt, co-sponsored by Senator Van Sistine.

To committee on Labor.

Assembly Bill 473

Relating to persons eligible to act as a bingo caller or to participate in the management or operation of a bingo occasion.

By Representative Lee, by request of Donald W. Runnells.

To committee on State Affairs.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

Assembly Bill 474

Relating to establishing a hospital cost containment program in the department of health and social services and granting rule-making authority.

By Joint Legislative Audit Committee.

To Joint Legislative Audit Committee.

Assembly Bill 475

Relating to medical assistance payments to hospitals and granting rule-making authority.

By Joint Legislative Audit Committee.

To Joint Legislative Audit Committee.

Assembly Bill 476

Relating to the hospital rate review program.

By Joint Legislative Audit Committee.

To Joint Legislative Audit Committee.

Assembly Bill 477

Relating to a residential weatherization program, granting rule-making authority and making an appropriation.

By Representatives Fischer, Gerlach, Kirby, Wagner, Kunicki, Munts, Crawford, Metz and Lee, co-sponsored by Senators Strohl and Braun.

To committee on Energy.

Assembly Bill 478

Relating to forfeitures for illegally caught fish.

By Representative Fischer, co-sponsored by Senator Lasee.

To committee on Tourism and Recreation.

Assembly Bill 479

Relating to removal of illegally parked vehicles in a private parking facility.

By Representatives Behnke, Tregoning, Andrea, Porter, Hauke, Plous, Tuczynski, Kincaid, Neubauer, Norquist and Dorff, co-sponsored by Senators Cullen, Johnston, Braun and Flynn.

To committee on Aging, Women and Minorities.

Assembly Bill 480

Relating to the process for elimination of blank ballots in the recanvassing of votes.

By Representatives Thompson, Byers, Shabaz, Goodrich, Robertson, DeLong, Schmidt, Tregoning, Dilweg, Young, Luckhardt, Porter, Prosser, Merkt, Bradley, Hopkins, Matty, Knox, Ladwig, Donoghue, Panzer, Alberts and Jackamonis, co-sponsored by Senator Hanaway.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

To committee on Elections.

Assembly Bill 481

Relating to leasing of land owned by the department of natural resources.

By Representatives Thompson, Byers, Larson, Paulson, Goodrich, Tregoning, Young, Luckhardt, Porter, Prosser, Merkt, Bradley, Hopkins, Matty, Knox, Ladwig, Radtke, Donoghue, Panzer, Laatsch, Alberts, Jaronitzky, Schneiders, Schmidt, Nelsen, McEwen and Stitt, co-sponsored by Senator Bidwell.

To committee on Environmental Resources.

Assembly Bill 482

Relating to amending the powers and duties of 1st class cities to conform to the powers and duties of other cities.

By Representatives Lee and Czarnecki, co-sponsored by Senators Berger and Johnston, by request of city of Milwaukee.

To committee on Urban Affairs and Housing.

Assembly Bill 483

Relating to licensing journeyman barbers as master barbers.

By Representatives Metz and Vanderperren.

To committee on Labor.

Assembly Bill 484

Relating to increasing the number of apprentice barbers a barber shop manager is permitted to supervise.

By Representative Ellis.

To committee on Labor.

Assembly Bill 485

Relating to guests overstaying at a hotel and providing a penalty.

By Representatives Kincaid, Smith, Helbach, Duren, Hasenohrl, Panzer and Fischer.

To committee on Tourism and Recreation.

Assembly Bill 486

Relating to entry into locked buildings or dwellings and providing a penalty.

By Representatives Kincaid, Fischer, Hasenohrl, Swoboda, Helbach, Smith, Panzer and Ladwig.

To committee on Criminal Justice and Public Safety.

Assembly Bill 487

Relating to various changes pertaining to pupil transportation.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

By Representatives Hopkins, Fischer, Stitt, Donoghue, Tregoning, DeLong and Larson, co-sponsored by Senators Roshell and Kreul.

To committee on Education.

Assembly Bill 488

Relating to training persons to use weapons or techniques to cause public disturbances and providing a penalty.

By Representatives Lee and Robinson, co-sponsored by Senators Harnisch and Chilsen.

To committee on Criminal Justice and Public Safety.

Assembly Bill 489

Relating to regulation of medicare supplement policies, required disclosures to prospective life and disability insurance buyers and granting rule-making authority.

By Representatives Munts, Potter and Thompson, by request of Commissioner of Insurance.

To committee on Insurance, Cooperatives and Risk Management.

COMMITTEE REPORTS

The committee on Highways reports and recommends:

Assembly Bill 54

Relating to snowmobile travel adjacent to roadways.

Adoption of assembly amendment 1:

Ayes: (10) Noes: (0)

Passage: Ayes: (10) Noes: (0)

To Joint Committee on Finance.

Assembly Bill 81

Relating to minimum liability limits for liability arising out of the use of a motor vehicle.

Adoption of assembly substitute amendment 1:

Ayes: (9) Noes: (1)

Passage: Ayes: (7) Noes: (3)

To Joint Committee on Finance.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

Assembly Bill 87

Relating to including as an authorized emergency vehicle privately owned vehicles used by paramedics or ambulance attendants.

Without recommendation (Assembly Rule 19)
To committee on Rules.

CLETUS VANDERPERREN
Chairperson

The committee on Judiciary reports and recommends:

Assembly Bill 76

Relating to damages in wrongful death actions.

Passage: Ayes: (6) Noes: (3)
To committee on Rules.

Assembly Bill 85

Relating to the maximum recovery level for tort actions against local governmental entities and agencies.

Adoption of assembly amendment 1:
Ayes: (7) Noes: (2)

Adoption of assembly amendment 2:
Ayes: (5) Noes: (4)

Passage: Ayes: (9) Noes: (0)
To committee on Rules.

JAMES RUTKOWSKI
Chairperson

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has passed and asks concurrence in:

Senate Bill 63
Senate Bill 92
Senate Bill 93
Senate Bill 94
Senate Bill 127
Senate Bill 128

JOURNAL OF THE ASSEMBLY [May 7, 1981]

Senate Bill 129

Concurred in as amended:

Assembly Joint Resolution 7 (senate amendment 1 adopted)

ACTION ON THE SENATE MESSAGE

Senate Bill 63

Relating to review of certain executive orders of the governor by appropriate standing committees of the legislature, adoption of certain executive orders as rules and granting rule-making authority.

By Joint Committee for Review of Administrative Rules.

To committee on Government Operations.

Senate Bill 92

Relating to conflict of interest and nonpayment of fees by insurance intermediaries, eliminating licensing of and certain restrictions on fire insurance adjusters, eliminating regulation of insurance policy vending machines and the separate regulation of insurance brokers and consultants, eliminating the requirement that partnerships and corporations acting as intermediaries be licensed, miscellaneous changes in the insurance code and granting rule-making authority.

By Senators Kleczka, McCallum, Roshell, Flynn, Hanaway, Chilsen, Harsdorf, Opitz, Kreul, Strohl, Maurer, Berger, Braun, Offner, George, Van Sistine and Frank; co-sponsored by Representatives Luckhardt, Ladwig, Tuczynski, Norquist, Shabaz, Hauke, Thompson and Flintrop.

To committee on Insurance, Cooperatives and Risk Management.

Senate Bill 93

Relating to mandatory coverage by disability insurance policies.

By Senators Kleczka, McCallum, Roshell, Moody, Flynn, Krueger, Hanaway, Chilsen, Harsdorf, Opitz, Kreul, Strohl, Berger, Offner, George, Van Sistine and Frank; co-sponsored by Representatives Luckhardt, Ladwig, Tuczynski, Norquist, Shabaz, Potter, Hauke and Flintrop.

To committee on Insurance, Cooperatives and Risk Management.

Senate Bill 94

Relating to removing the limit on the amount of term life insurance which may be provided for an individual through group term life insurance.

By Senators Kleczka, McCallum, Roshell, Moody, Flynn, Krueger, Hanaway, Chilsen, Harsdorf, Opitz, Kreul, Strohl, Maurer, Berger, Braun, Offner, George, Van Sistine and Frank; co-sponsored by Representatives Luckhardt, Ladwig, Tuczynski, Norquist, Shabaz, Potter, Hauke and Flintrop.

To committee on Insurance, Cooperatives and Risk Management.

Senate Bill 127

Relating to changes in laws regulating securities and security transactions and granting rule-making authority.

By committee on Aging, Business and Financial Institutions and Transportation, by request of Commissioner of Securities.

To committee on Commerce and Consumer Affairs.

Senate Bill 128

Relating to changes in statutes regulating franchises and the offer or sale of franchises and granting rule-making authority.

By committee on Aging, Business and Financial Institutions and Transportation, by request of Commissioner of Securities.

To committee on Commerce and Consumer Affairs.

Senate Bill 129

Relating to changes in statutes regulating the take-over target companies.

By committee on Aging, Business and Financial Institutions and Transportation, by request of Commissioner of Securities.

To committee on Commerce and Consumer Affairs.

Assembly Joint Resolution 7

Relating to county responsibility for the acts of the sheriff (2nd consideration).

By Representatives Dorff, Andrea, Becker, Prosser, Wagner, Hauke and Barczak, co-sponsored by Senators Bablitch, Maurer, Chilsen, Van Sistine, Hanaway and Theno.

To committee on Rules.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

MOTIONS

Representative Hopkins asked unanimous consent to be recorded on the following questions from Thursday, April 30. Granted.

The question was: Assembly Bill 97 having been read three times, shall the bill pass? Aye

The question was: Assembly Bill 102 having been read three times, shall the bill pass? Aye

The question was: Shall Assembly Bill 231 be referred to the committee on Local Affairs? Aye

The question was: Assembly Bill 132 having been read three times, shall the bill pass? Aye

The question was: Shall Senate Bill 112 be ordered to a third reading? Aye

The question was: Senate Bill 112 having been read three times, shall the bill be concurred in? Aye

The question was: Shall assembly amendment 1 to Senate Bill 243 be rejected? No

The question was: Shall assembly amendment 2 to Senate Bill 243 be rejected? No

The question was: Shall assembly amendment 3 to Senate Bill 243 be adopted? Aye

The question was: Shall assembly amendment 1 to assembly amendment 5 to Senate Bill 243 be rejected? Aye

The question was: Shall assembly amendment 5 to Senate Bill 243 be rejected? No

The question was: Shall the rules be suspended to allow Representative Johnson to make a statement? Aye

The question was: Shall the rules be suspended to allow Representative Schneider to make a statement? Aye

The question was: Shall assembly amendment 5 to Senate Bill 243 be laid on the table? No

The question was: Shall assembly amendment 5 to Senate Bill 243 be adopted? Aye

The question was: Senate Bill 243 having been read three times, shall the bill be concurred in? No

The question was: Shall the rules be suspended to return to the eighth order of business? No

Representative Rooney asked unanimous consent that the assembly stand recessed for five minutes. Granted.

The assembly stood recessed.

10:20 A.M.

RECESS

10:50 A.M.

The assembly reconvened.

Representative Loftus asked unanimous consent that **Assembly Bill 474** be withdrawn from the Joint Legislative Audit Committee and referred to the committee on Health and Human Services. Granted.

Representative Loftus asked unanimous consent that **Assembly Bill 475** be withdrawn from the Joint Legislative Audit Committee and referred to the committee on Health and Human Services. Granted.

Representative Loftus asked unanimous consent that **Assembly Bill 476** be withdrawn from the Joint Legislative Audit Committee and referred to the committee on Health and Human Services Committee. Granted.

Representative Tesmer asked unanimous consent to withdraw her motion for reconsideration of the vote by which **Assembly Bill 235** was indefinitely postponed. Granted.

Representative Behnke asked unanimous consent to be made a co-author of **Assembly Joint Resolution 28**. Granted.

CALENDAR OF THURSDAY, MAY 7, 1981

Assembly Bill 320

Relating to eliminating the expiration date for collective bargaining impasse resolution procedures for local government employees other than law enforcement and fire fighting personnel.

Assembly substitute amendment 1 to **Assembly Bill 320** offered by Representatives Schneider, R. Travis and Andrea.

POINT OF ORDER

Representative Johnson rose to the point of order that assembly substitute amendment 1 to **Assembly Bill 320** was not germane under Assembly Rule 54 (3)(d)1.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

Representative Lee stated that the amendment was germane under Assembly Rule 54 (4)(f) and cited the ruling of the speaker on amendments to 1977 Senate Bill 294 on March 8, 1978.

The speaker took the point of order under advisement.

Deputy speaker Tesmer in the chair.

Assembly Bill 253

Relating to utilization of unemployment compensation and employment training benefits received by county jail prisoners.

The question was: Shall assembly amendment 1 to **Assembly Bill 253** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 253** be ordered engrossed and read a third time?

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 253** be given a third reading. Granted.

The question was: **Assembly Bill 253** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Andrea, Barczak, Becker, Behnke, Berndt, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnezki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig, Larson, Lee, Leopold, Lewison, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Neubauer, Norquist, Otte, Panzer, Paulson, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood, Young and Mr. Speaker -- 98.

Noes -- None.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

Absent or not voting -- None.

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 253** be immediately messaged to the senate. Granted.

Assembly Bill 261

Relating to certification of school administrators and granting rule-making authority.

Representative Loftus asked unanimous consent that **Assembly Bill 261** be placed at the foot of the twelfth order of business on the calendar of Tuesday, May 12. Granted.

Assembly Bill 242

Relating to providing penalties for use of a dangerous weapon.

The question was: Shall **Assembly Bill 242** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Alberts, Andrea, Barczak, Becker, Behnke, Berndt, Bradley, Broydrick, Byers, Clarenbach, Conradt, Crawford, Czarnecki, DeLong, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig, Larson, Lee, Leopold, Lewison, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Neubauer, Norquist, Otte, Panzer, Paulson, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood, Young and Mr. Speaker -- 96.

Noes -- Coggs and Dilweg -- 2.

Absent or not voting -- None.

Motion carried.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 242** be given a third reading. Granted.

The question was: **Assembly Bill 242** having been read three times, shall the bill pass?

The roll was taken.

The result follows:

Ayes -- Alberts, Andrea, Barczak, Becker, Behnke, Berndt, Bradley, Broydrick, Byers, Clarenbach, Conradt, Crawford, Czarnezki, DeLong, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig, Larson, Lee, Leopold, Lewison, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Medinger, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Neubauer, Norquist, Otte, Panzer, Paulson, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood, Young and Mr. Speaker -- 96.

Noes -- Coggs and Dilweg -- 2.

Absent or not voting -- None.

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 242** be immediately messaged to the senate. Granted.

Representative Loftus asked unanimous consent that the assembly stand informal for five minutes. Granted.

Speaker Jackamonis in the chair.

RULING ON THE POINT OF ORDER

The speaker ruled that assembly substitute amendment 1 to **Assembly Bill 320** was not germane under Assembly Rule 54 (3)(d)1.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

Representative Barczak moved that **Assembly Bill 320** be laid on the table.

Representative Johnson moved that the rules be suspended to allow him to make a statement.

The question was: Shall the rules be suspended to allow Representative Johnson to make a statement?

The roll was taken.

The result follows:

Ayes -- Alberts, Andrea, Barczak, Becker, Berndt, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnezki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig, Larson, Lee, Leopold, Lewison, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Neubauer, Norquist, Otte, Panzer, Paulson, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Robinson, Rutkowski, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood, Young and Mr. Speaker -- 94.

Noes -- Behnke, Medinger, Rogers and Rooney -- 4.

Absent or not voting -- None.

Motion carried.

Representative Schneider moved that the rules be suspended to allow him to make a statement.

The question was: Shall the rules be suspended to allow Representative Schneider to make a statement?

The roll was taken.

The result follows:

Ayes -- Alberts, Andrea, Barczak, Becker, Behnke, Berndt, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnezki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig,

JOURNAL OF THE ASSEMBLY [May 7, 1981]

Larson, Lee, Leopold, Lewison, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Menos, Merkt, Metz, Miller, Munts, Murray, Nelsen, Neubauer, Norquist, Otte, Panzer, Paulson, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Robinson, Rutkowski, Schmidt, Schneider, Schneiders, Shabaz, Shoemaker, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wood, Young and Mr. Speaker -- 93.

Noes -- Medinger, Rogers and Rooney -- 3.

Absent or not voting -- Wagner and Williams -- 2.

Motion carried.

Representative Barczak moved that the rules be suspended to allow him to make a statement.

The question was: Shall the rules be suspended to allow Representative Barczak to make a statement?

The roll was taken.

The result follows:

Ayes -- Alberts, Andrea, Barczak, Becker, Behnke, Berndt, Bradley, Broydrick, Byers, Clarenbach, Coggs, Conradt, Crawford, Czarnecki, DeLong, Dilweg, Donoghue, Dorff, Duren, Ellis, Everson, Fischer, Flintrop, Gerlach, Goodrich, Harer, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Hopkins, Jaronitzky, Johnson, Kincaid, Kirby, Klicka, Knox, Kunicki, Laatsch, Ladwig, Larson, Lee, Leopold, Lewison, Loftus, Looby, Luckhardt, McEssy, McEwen, Matty, Menos, Merkt, Metz, Miller, Murray, Nelsen, Neubauer, Norquist, Otte, Panzer, Paulson, Plewa, Plous, Porter, Potter, Prosser, Quackenbush, Radtke, Roberts, Robertson, Robinson, Rutkowski, Schmidt, Schneider, Schneiders, Shabaz, Smith, Stitt, Swoboda, Tesmer, Thompson, Travis, D., Travis, R., Tregoning, Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood, Young and Mr. Speaker -- 93.

Noes -- Medinger, Rogers and Rooney -- 3.

Absent or not voting -- Munts and Shoemaker -- 2.

Motion carried.

The question was: Shall Assembly **Bill 320** be laid on the table?

JOURNAL OF THE ASSEMBLY [May 7, 1981]

The roll was taken.

The result follows:

Ayes -- Alberts, Andrea, Barczak, Berndt, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Duren, Gerlach, Goodrich, Harer, Hopkins, Jaronitzky, Klicka, Knox, Laatsch, Ladwig, Lewison, Luckhardt, McEwen, Matty, Merkt, Nelsen, Panzer, Paulson, Prosser, Quackenbush, Radtke, Robertson, Schmidt, Schneider, Schneiders, Shabaz, Stitt, Tesmer, Thompson, Travis, R., Tregoning and Young -- 42.

Noes -- Becker, Behnke, Broydrick, Clarenbach, Coggs, Crawford, Czarnecki, Dorff, Ellis, Everson, Fischer, Flintrop, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Johnson, Kincaid, Kirby, Kunicki, Larson, Lee, Leopold, Loftus, Looby, McEssy, Medinger, Menos, Metz, Miller, Munts, Murray, Neubauer, Norquist, Otte, Plewa, Plous, Porter, Potter, Roberts, Robinson, Rogers, Rooney, Rutkowski, Shoemaker, Smith, Swoboda, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood and Mr. Speaker -- 56.

Absent or not voting -- None.

Motion failed.

Representative Shabaz moved that **Assembly Bill 320** be referred to the committee on Labor.

The question was: Shall **Assembly Bill 320** be referred to the committee on Labor?

The roll was taken.

The result follows:

Ayes -- Berndt, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Duren, Goodrich, Harer, Hopkins, Jaronitzky, Klicka, Knox, Laatsch, Ladwig, Lewison, Luckhardt, McEwen, Matty, Merkt, Nelsen, Panzer, Paulson, Prosser, Quackenbush, Schmidt, Schneiders, Shabaz, Stitt, Tesmer, Thompson, Travis, R., Tregoning and Young -- 35.

Noes -- Andrea, Barczak, Becker, Behnke, Broydrick, Clarenbach, Coggs, Crawford, Czarnecki, Dorff, Ellis, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Helbach, Hephner, Holschbach, Johnson, Kincaid, Kirby, Kunicki, Larson, Lee, Leopold, Loftus, Looby, McEssy, Medinger, Menos, Metz, Miller, Munts, Murray, Neubauer, Norquist, Otte, Plewa, Plous, Potter,

JOURNAL OF THE ASSEMBLY [May 7, 1981]

Radtke, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Swoboda, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood and Mr. Speaker - 60.

Absent or not voting -- Alberts, Hauke and Porter -- 3.

Motion failed.

The question was: Shall **Assembly Bill 320** be ordered engrossed and read a third time?

The roll was taken.

The result follows:

Ayes -- Andrea, Barczak, Becker, Behnke, Berndt, Broydrick, Clarenbach, Cogg, Crawford, Czarnecki, Dorff, Ellis, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Jaronitzky, Johnson, Kincaid, Kirby, Knox, Kunicki, Larson, Lee, Leopold, Loftus, Looby, McEssy, McEwen, Medinger, Menos, Metz, Miller, Munts, Murray, Neubauer, Norquist, Otte, Plewa, Plous, Porter, Potter, Radtke, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood and Mr. Speaker -- 67.

Noes -- Alberts, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Duren, Goodrich, Harer, Hopkins, Klicka, Laatsch, Ladwig, Lewison, Luckhardt, Matty, Merkt, Nelsen, Panzer, Paulson, Prosser, Quackenbush, Schmidt, Schneiders, Shabaz, Stitt, Thompson, Travis, R., Tregoning and Young -- 31.

Absent or not voting -- None.

Motion carried.

Representative Loftus asked unanimous consent that the rules be suspended and that **Assembly Bill 320** be given a third reading.

Representative Shabaz objected.

Representative Loftus moved that the rules be suspended and that **Assembly Bill 320** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 320** be given a third reading?

The roll was taken.

The result follows:

JOURNAL OF THE ASSEMBLY [May 7, 1981]

Ayes -- Andrea, Barczak, Becker, Behnke, Broydrick, Clarenbach, Coggs, Crawford, Czarnezki, Dorff, Ellis, Everson, Fischer, Flintrop, Gerlach, Hasenohrl, Hauke, Helbach, Hephner, Holschbach, Johnson, Kincaid, Kirby, Kunicki, Larson, Lee, Leopold, Loftus, Looby, McEssy, Medinger, Menos, Metz, Miller, Munts, Murray, Neubauer, Norquist, Otte, Plewa, Plous, Potter, Roberts, Robertson, Robinson, Rogers, Rooney, Rutkowski, Schneider, Shoemaker, Smith, Swoboda, Tesmer, Travis, D., Tuczynski, Ulichny, Vanderperren, Wagner, Williams, Wood and Mr. Speaker -- 61.

Noes -- Alberts, Berndt, Bradley, Byers, Conradt, DeLong, Dilweg, Donoghue, Duren, Goodrich, Harer, Hopkins, Jaronitzky, Klicka, Knox, Laatsch, Ladwig, Lewison, Luckhardt, McEwen, Matty, Merkt, Nelsen, Panzer, Paulson, Porter, Prosser, Quackenbush, Radtke, Schmidt, Schneiders, Shabaz, Stitt, Thompson, Travis, R., Tregoning and Young -- 37.

Absent or not voting -- None.

Motion failed.

Representative Loftus moved reconsideration of the vote by which **Assembly Bill 320** was ordered to a third reading. Entered.

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Assembly amendment 5 to **Senate Bill 243**

Passed and asks concurrence in:

Senate Bill 110

Senate Bill 248

Concurred in as amended:

Assembly amendment 3 to **Senate Bill 243** (senate amendment 1 adopted)

JOURNAL OF THE ASSEMBLY [May 7, 1981]

ACTION ON THE SENATE MESSAGE

Senate Bill 110

Relating to restrictions on persons who commit crimes.

By Senators Adelman, Moody, Hanaway and Roshell; co-sponsored by Representative D. Travis.

To committee on Judiciary.

Senate Bill 248

Relating to authorizing county boards to delegate authority concerning claims, demands and causes of action.

By Senators Frank, George, Braun and Adelman; co-sponsored by Representative Tuczynski, by request of Milwaukee County.

To committee on Local Affairs.

Senate Bill 243

Relating to limitation of state expenditure reductions, expenditure estimate procedure and state revenue shortfall procedure.

By Joint Committee on Finance.

To calendar.

Representative Loftus asked unanimous consent to return to the third order of business. Granted.

COMMITTEE REPORTS

The Joint Survey Committee on Retirement Systems reports and recommends:

Assembly Bill 370

Relating to establishing a system of marital property shared by husband and wife and providing penalties.

Adoption of report as amended by assembly amendment 1:

Ayes: (7) Noes: (0)

To Joint Survey Committee on Tax Exemptions.

JOSEPH ANDREA

Assembly Chairperson

Representative Ulichny asked unanimous consent that the assembly adjourn in honor of the birthday of Representative Kincaid. Granted.

LEGISLATIVE REFERENCE BUREAU CORRECTIONS

Assembly Bill 12

Page 2, line 13: delete "is be" and substitute "state is".

VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Students from Lomira Junior High School accompanied by teachers Frank Sorgent, Nancy Sweet, Larry Krueger, Bill Zelenski, Pete Runde and Tom Gilson, guests of Representatives Panzer and McEssy.

Dave Stetter, Mary Cassidy, Karen Glassnapp, Gary Miller and Bill Abitz from Fond du Lac, guests of Representative McEssy.

Dan Promen, Dan Klawitter and Bob Fields from Fond du Lac, guests of Representative McEssy.

Donna Freeman from Hartford, guest of Representative Luckhardt.

Fred and Kathy Andrist from Westboro, guests of Representative Larson.

Fourth grade students from Hillside School in Brookfield accompanied by Jean Peterson, guests of Representative Young.

Douglas Bakkum from Paddock Lake, guest of Representative Wagner.

Students from Luxemburg-Casco High School, guests of Representative Swoboda.

Paula Olszewski from Salem, guest of Representative Paulson.

Bud Hall from Comstock, guest of Representative Paulson.

John Beam, Frank Heatwole and Thomas Moore from Janesville, guests of Representative Wood.

Tom Coffey, Mary Jane Quarles, Gary Rusch, Bob Andringa and Alex Anday from Wausau, guests of Representative Robinson.

JOURNAL OF THE ASSEMBLY [May 7, 1981]

Students from East Elementary School in Jefferson accompanied by teachers Mrs. Schmidt, Mrs. Curtin and Mrs. Emmerich, guests of Representative Knox.

Joanne Williams from Lake Geneva, guest of Representatives Wagner and Porter.

Esther Thronson from Burlington, guest of Representatives Wagner and Porter.

Students from St. Pius X Grade School in La Crosse accompanied by Gloria Biesen, Betty Roesler, Tim Roesler, Rick Eirschele, Jeff Servais, Mike Nunemacher, Sister Laurie Rahe, Jean Jensen, Julie Skemp, Tracy Pretasky, Lisa Friedewald, Jo Ann Brozyna, Fred Brozyna, Paul Brewer, Jim Puent, Jeff Harriman and Pat Kramer, guests of Representative Medinger.

Representative Loftus moved that the assembly stand adjourned until 10:00 A.M. on Tuesday, May 12.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

11:55 A.M.